

REMARKS

This case has been carefully reviewed and analyzed in view of the Office Action dated 7 October 2003. Responsive to that Office Action, Claims 1-2, 9, 11, 19, and 21 are now amended for further prosecution with the other pending Claims. It is believed that with such amendment of Claims, there is a further clarification of the Claims' recitations in the subject Patent Application.

In the Office Action, the Examiner rejected Claims 1-34 under 35 U.S.C. § 102(b) as being anticipated by the Logan, et al. reference. The Examiner specifically set forth certain correlations between features recited in the Claims and those disclosed by Logan, et al.

As Applicants' newly-amended independent Claims 1, 11, and 21 each now more clearly recite, Applicants' claimed system and method include among their combinations of features the operable coupling of first and second units "over a wireless link," whereby requested ones of audio and other such data files available at one unit may be quickly and conveniently transmitted for ready access at the other, without any special intervention by the user him-/herself. This enables at least one of the first and second units, in certain embodiments, to be included in a mobile platform such as a vehicle, with the "wireless link being established responsive to the first and second units being disposed within a predetermined proximity one relative to the other," (as newly-amended Claim 2 recites, for

example). The user is freed from having to, for instance, physically transport tapes, CD's, DVD's, or other storage media to and from the vehicle.

The full combination of these and other features now more clearly recited by Applicants' pending Claims is nowhere disclosed by the cited Logan, et al. reference. While the reference does disclose an audio program and message exchange/distribution system, the reference prescribes and configures the system quite specifically for the Internet. Indeed, the very point of the reference is to convey audio programs and messages residing at point A (host 101) to point B (audio player 103) through the Internet, exploiting its various peculiarities - rather than through other more traditional broadcast or distribution means. Regardless of what other means may be peripherally employed at either end, the information is conveyed necessarily through the Internet.

Not surprisingly, the reference neither discloses nor anywhere even suggests the exchange/distribution of its audio messages between host and audio player apart from the Internet, much less "over a wireless link" therebetween, in the manner more clearly recited by each of Applicants' newly-amended independent Claims. The reference expressly provides, instead, that "[t]o effect ... file transfers, ... [a] modem 115 is connected via conventional dial up telephone SLIP or PPP TCP/IP series data communication link 117 to an Internet service provider 121 which provides access to the internet," (Column 4; Lines 30-34) for its player unit 103.

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It is respectfully submitted, therefore, that Logan, et al. fails to disclose the unique combination of elements now more clearly recited by Applicants' pending Claims for the purposes and objectives disclosed in the subject Patent Application. The reference in fact teaches quite clearly against Applicants' claimed system and method.

It is believed that the subject Patent Application has now been placed fully in condition for allowance, and such action is respectfully requested.

Respectfully submitted,



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